



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

Mitchell E. Daniels, Jr.  
Governor

Thomas W. Easterly  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
www.idem.IN.gov

May 27, 2009

VIA CERTIFIED MAIL 7002 0510 0004 2582 7717

Bradley Eisenhart, P.E., Director of Operations  
Waste Management of Indiana, Inc.  
8635 East State Road 16  
Monticello, Indiana 47960

Dear Mr. Eisenhart:

Re: Approval of Minor Modification to  
Solid Waste Facility Permit  
Liberty Landfill  
White County  
FP 91-04

Waste Management of Indiana, Inc., is hereby granted a minor modification to solid waste facility permit FP 91-04, pursuant to IC 13-15-1-3, IC 13-15-7-1, 329 IAC 10-11-6 and 329 IAC 10-13-6. This decision is based on the minor permit modification application submitted to the Indiana Department of Environmental Management (IDEM) on April 15, 2009, and all subsequent amendments and addenda to the application.

This minor permit modification allows Waste Management of Indiana, Inc., to spray leachate on the working face and vertical recirculation in addition to the horizontal recirculation currently allowed by the facility permit renewal dated October 15, 2007, subject to the terms of this letter and the enclosed requirements. In accordance with 329 IAC 10-13-4, solid waste facility permit FP 91-04, as amended by this minor permit modification, does not authorize: any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor preempt any duty to comply with other state or local requirements.

The solid waste facility referenced above is located at 8635 East State Road 16 and contains approximately 91.2 acres permitted for landfilling.

Pursuant to IC 4-21.5, a Petition for Review of this minor permit modification letter may be initiated by you, as applicant, or by an "aggrieved or adversely affected person." This decision becomes effective once all applicable time periods for petitioning for Stays of Effectiveness have expired, unless you are notified in writing by an Environmental Law Judge that the minor permit modification has been further stayed. As discussed in our enclosed Notice of Decision, if you wish to challenge this decision, you must file a Petition for Review with the Office of Environmental Adjudication within 18 days from the date that this letter was mailed, pursuant to IC 4-21.5-3-7.

Mr. Eisenhart  
Page 2

If you have any questions or comments about your application or the permitting process, call (800) 451-6027, press 0 and ask for Alicia Brown or extension 2-8734, or call direct at (317) 232-8734.

Sincerely,

A handwritten signature in black ink that reads "Jerome Rud". The signature is written in a cursive style with a large, stylized "J" and "R".

Jerome Rud, Chief  
Permits Branch  
Office of Land Quality

AB

Enclosures: Permit Requirements  
Notice of Decision  
Letter to Monticello-Union Township Public Library  
Letter to the Herald Journal

cc: White County Health Department  
White County Commissioners  
Northwest Indiana Solid Waste Management District  
David L. Stelzer, Ph.D., P.E., ATC Associates, Inc.

## PERMIT REQUIREMENTS

This minor permit modification allows Waste Management of Indiana Inc., to spray leachate on the working face and vertical recirculation in addition to the horizontal recirculation currently allowed by the facility permit renewal dated October 15, 2007, adhering to the conditions listed below.

1. The permittee may recirculate leachate by spraying on the working face "direct application" method, the vertical well injection, or the "horizontal injection (drainage gallery)" method in accordance with 329 IAC 10-20-20, 329 IAC 10-20-21 and the following requirements:

**The following requirements apply to all methods for leachate recycling:**

- a. Leachate shall be recycled by using the approved leachate recirculation methods, only in areas of the landfill that are constructed with a composite liner system, and leachate collection system satisfying the requirements of 329 IAC 10-20-21. The permittee shall submit to IDEM the information noted on the "Leachate Recirculation Report," a copy of which is attached, within fifteen (15) days of completion of construction of each new component of the leachate recirculation system.
- b. Leachate shall be recycled at a ratio not exceeding fifty (50) gallons of leachate per ton of waste deposited. The permittee shall maintain in the facility operating records a log documenting the volume of leachate recirculated each day. In the event the permittee is operating a continuous flow meter, the permittee shall keep a log documenting the amount of leachate recirculated on a bi-monthly basis. This log will be in lieu of the daily log.
- c. Whenever leachate recycling is performed, the permittee shall provide a pump with the portable leachate holding tank, or other leachate transport device used, to pick up any spills that may occur. Soils contaminated by any leachate run-off shall be excavated and buried within the working face of the landfill.
- d. If leachate is pumped into a portable leachate holding tank or other conveyance used to transport leachate for recirculation, the filling operation shall be only done in an area equipped with a three (3) foot thick pad surrounded by a two (2) foot high berm, both of compacted clay. The filling area pad shall slope a minimum of one (1) percent towards the berm and shall be covered with a hard, driving surface. The filling area may be of an alternative design as approved by the commissioner if it provides equivalent environmental protection (e.g. a sloped concrete containment pad). Any leachate spills in the leachate loading area must be cleaned up each time the spill occurs.
- e. Should the leachate recycling method fail to satisfy the requirements of 329 IAC 10-20-20 for proper operation of the leachate collection and removal system and

329 IAC 10-20-21(b)(4) for the control of odors, contamination of runoff, or damage to vegetation, the permittee shall cease leachate recirculation until the leachate recirculation system is modified to comply with 329 IAC 10-20-21(c). The permittee shall notify IDEM of the shut down event within twenty-four (24) hours.

- f. It is recommended that the permittee shall implement appropriate health and safety protection standards found in the Indiana Occupational Safety and Health Administration (OSHA) during the operation of the leachate recirculation system.
- g. Only one leachate recirculation method may be performed in the same area of the landfill at one time.

**The following requirements apply only to the "Direct Application" method for leachate recirculation:**

- h. Leachate shall be applied by spraying, directly and uniformly, onto the solid waste either prior to or during the waste compaction operation and at no time shall be applied without an observer present. Dumping of leachate, without using a spray irrigation system, shall not be permitted. The leachate recirculation shall not be conducted until a minimum of thirty (30) feet of waste has been placed over the bottom of the landfill. The "Direct Application" method shall be limited to the working face and the fifty (50)-foot buffer zone shall be maintained from finished, exterior landfill slopes.
- i. The permittee shall construct a run-off control berm at the downslope toe of the working face to confine run-off to the working face area of the landfill. Any leachate run-off shall be immediately controlled with a portable pump. Soils contaminated by leachate run-off shall be buried within the working face.
- j. The "Direct Application" method shall not be used during periods of rain, when the forecast for rain is above fifty (50) percent, when wind conditions would cause leachate to be blown onto personnel and during periods of extremely cold temperatures.
- k. No direct application will be performed in areas of the working face where waste-unloading operations are being performed.

**The following requirements apply to the "Vertical Well Injection" method of leachate recirculation:**

- l. The permittee shall place a minimum of thirty (30) feet of waste over the bottom of the landfill before installing the first set of the vertical injection wells. The vertical injection pipe shall be placed no closer than fifty (50) feet from the

exterior slopes and the active working face of the landfill. The permittee shall maintain a minimum of ten (10) feet of vertical separation between the perforated section of the leachate injection pipe and the top of the landfill final cover. To prevent recirculated leachate spilling from the wells onto the ground surface the top of the well casing shall be extended through the waste surface, and landfill cover.

- m Adequate time will be allowed between injection events so that wetting of waste can be uniform throughout the landfill. The area in which vertical injection will occur shall be monitored on a daily basis during the use of the system for evidence of leachate seeps and system malfunction. If problems occur, leachate recirculation shall be immediately stopped. The surface area around the vertical injection wells shall be properly maintained in accordance with 329 IAC 10-20-13 and 14.

**The following requirements apply to the "Horizontal Injection" method of leachate recirculation:**

- n. The first layer of the horizontal injection line laterals shall not be placed until a minimum of thirty (30) feet of waste has been placed over the bottom of the landfill.
- o. Leachate shall only be recirculated by one layer of the horizontal injection pipes at a time. The area in which subsurface injection will occur shall be monitored on a daily basis during the use of the system for evidence of leachate seeps and system malfunction. If problems occur, leachate recirculation shall be immediately stopped.
- p. The horizontal leachate recirculation system shall be constructed a minimum distance of one hundred (100) feet from the exterior slopes and the active face of the landfill.



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May 27, 2009

Legal Advertising Department  
Herald Journal  
114 South Main, P.O. Box 409  
Monticello, Indiana 47960

Re: Public Notice

Dear Sir/Madam:

Enclosed please find a copy of our Notice of Decision to issue a solid waste facility Minor Permit Modification to Liberty Landfill in White County. We request that you publish this notice, one time only, as soon as possible.

For billing, please send a notarized form and clippings showing the date of publication to Alicia Brown, Indiana Department of Environmental Management, Office of Land Quality, Solid Waste Permits Section, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251. On the backside of your publisher claim, please be sure to include your Federal Identification number on the first line below the statement: "In the sum of \$..."

If you have any questions or comments about the permit notice, please contact Alicia Brown at (800) 451-6027, press 0 and ask for Alicia Brown or extension 2-8734, or call direct at (317) 232-8734.

Sincerely,

Alicia Brown  
Solid Waste Permits Section  
Office of Land Quality

AB

Enclosure: Notice of Decision

cc: White County Health Department (with enclosure)  
White County Commissioners (with enclosure)  
Northwest Indiana Solid Waste Management District (with enclosure)

## **NOTICE OF DECISION**

### Indiana Department of Environmental Management

Please be advised that the Indiana Department of Environmental Management (IDEM), Office of Land Quality, has granted a solid waste facility Minor Permit Modification to Liberty Landfill, which is located at 8635 East State Road 16, White County, Indiana. This permit allows Waste Management of Indiana, Inc., to spray leachate on the working face and vertical recirculation in addition to the horizontal recirculation currently allowed by their permit. A copy of this permit is available for review at the Monticello-Union Township Public Library located at 321 West Broadway Street, Monticello, Indiana.

If anyone wishes to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3-7 require that they file a petition for administrative review not later than fifteen (15) days after being served with this notice. Under IC 13-15-6-7(c) you are considered to be served with this notice when you are personally served with the notice or three (3) days after the notice is deposited in the United States mail and addressed to you, whichever occurs first. Your petition describing your intent to challenge the IDEM decision must be submitted to the Office of Environmental Adjudication (OEA), Indiana Government Center North, Room N501, 100 North Senate Avenue, Indianapolis, Indiana 46204-2200.

Your filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing: (1) The date the document is delivered to the OEA, (2) The date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail, or (3) The date on which the document is deposited with a private carrier, as shown by the receipt issued by the carrier, if the document is sent to the OEA by private carrier. This petition must include facts demonstrating that the petitioner is the applicant, a person aggrieved by the decision, or a person entitled to review by law. In order to assist the permit staff in tracking appeals, we request that you submit a copy of your petition to Alicia Brown, Indiana Department of Environmental Management, Office of Land Quality, Solid Waste Permits Section, 100 North Senate Avenue-Rm. 1154, Indianapolis, Indiana 46204-2251. Identifying the permit decision, or other order for which you seek review by permit number, name of the application, location, or date of this notice will expedite review of the petition.

Additionally, IC 13-15-6-2 requires that such petition for administrative review include: (1) The name and address of the person making the request, (2) The interest of the person making the request, (3) Identification of any persons represented by the person making the request, (4) The reasons, with particularity, for the request, (5) The issues, with particularity, proposed for consideration at the hearing, and (6) The permit terms and conditions which, in the judgment of the person making the request, would be appropriate.

Pursuant to IC 4-21.5-3-5(d), the OEA will provide the petitioner or any person requesting notice with notice of prehearing conferences, preliminary hearings, hearing stays, or orders disposing of the petition for review if a written request for such notice is submitted to the OEA at the above address. If you have procedural or scheduling questions regarding your petition, you may contact OEA by dialing (800) 451-6027, press 0 and ask for extension 2-8591 or dial (317) 232-8591. Questions regarding other aspects of the permit decision should be directed to Alicia Brown at (800) 451-6027, press 0 and ask for Alicia Brown or extension 2-8734, or call direct at (317) 232-8734.

Please bring this matter to the attention of persons you believe may have an interest in it.



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May 27, 2009

Monticello-Union Township Public Library  
321 West Broadway Street  
Monticello, Indiana 47960-2047

Re: Documents for Public View

Dear Sir/Madam:

A copy of the Minor Permit Modification for Liberty Landfill is enclosed. Please make these documents available to the public for the next twenty (20) days since this permit Minor Permit Modification can be appealed. You will also find enclosed a copy of the public notice announcing the decision and indicating the document's availability at your library. This public notice will appear in a local newspaper soon.

Please date and sign the enclosed verification of receipt form and mail it to our office in the envelope provided.

If you have any questions or comments about the permit notice, please contact Alicia Brown at (800) 451-6027, press 0 and ask for Alicia Brown or extension 2-8734 or call direct at (317) 232-8734.

Sincerely,

Alicia Brown  
Solid Waste Permits Section  
Office of Land Quality

Enclosures: Notice of Decision  
Permit Letter  
Verification of Receipt Form  
Agency Addressed Envelope

cc: White County Health Department (with enclosure)  
White County Commissioners (with enclosure)  
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Please bring this matter to the attention of persons you believe may have an interest in it.

Applicant and Interested Parties NOD